# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	Case No. 1:09-cr-28-CLC-SKL-03
VS.	)	
	)	
JASON SANDERS	)	

## MEMORANDUM AND ORDER

JASON SANDERS ("Supervised Releasee") appeared for an initial appearance before the undersigned on December 23, 2014, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant or Summons for an Offender Under Supervision ("Petition"). At that hearing, the Supervised Releasee waived his preliminary hearing and based upon the Petition and waiver of preliminary hearing, the Court found probable cause to believe Supervised Releasee committed violations of his conditions of supervised release, but requested time to prepare for a detention hearing, which was scheduled to take place on December 30, 2014 at 2:00 p.m. Those present for the detention hearing included:

- (1) Assistant United States Attorney James Brooks for the Government:
- (2) Supervised Releasee; and
- (3) Attorney Myrlene Marsa with Federal Defender Services of Eastern Tennessee ("FDS") for the Supervised Releasee.

After being sworn in due form of law, Supervised Releasee was informed or reminded of his privilege against self-incrimination accorded him under the Fifth Amendment to the United States Constitution.

## **Detention Hearing Proof**

AUSA Brooks called U.S. Probation Officer Doug Corn to testify to the factual allegations set forth in the Petition. Attorney Marsa cross-examined Officer Corn. Attorney Marsa, for Supervised Releasee, made proffers concerning his conduct and circumstances. The parties presented their respective arguments and/or evidence concerning the issues of detention or release, which were fully considered by the Court. Supervised Releasee has been detained without bail pending his revocation hearing before U.S. District Judge Curtis L. Collier.

### **Findings**

(1) The supervised release has not carried his burden of demonstrating that, if released, he would not flee or pose a danger to another person or to the community under Fed. R. Crim. P. 32.1(a)(6).

## Conclusions

### It is ORDERED:

- (1) Supervised Releasee shall appear for a revocation hearing before U.S. District Judge Collier.
- (2) The Government's motion that supervised releasee be **DETAINED WITHOUT BAIL** pending his revocation hearing before Judge Collier is **GRANTED**.
- (3) The U.S. Marshal shall transport Supervised Releasee to a revocation hearing before Judge Collier on Thursday, February 5, 2015 at 9:00 a.m. [EASTERN].

ENTER.

s/ Susan K. Lee

SUSAN K. LEE UNITED STATES MAGISTRATE JUDGE